



NINETEENTH JUDICIAL CIRCUIT

COLE COUNTY, MISSOURI

THREE YEARS ENDED DECEMBER 31, 1998

**From The Office Of State Auditor
Claire McCaskill**

Report No. 2000-01
January 4, 2000

AUDIT REPORT



Office Of The
State Auditor Of Missouri
Claire McCaskill

January 2000

The Nineteenth Judicial Circuit Court consists of Cole County. During our audit, we identified certain management practices which we believe could be improved.

At December 31, 1998, the Nineteenth Judicial Circuit, Cole County, Missouri, held assets for four receivership cases totaling \$2.75 million. Three of the four receiverships involve utility companies for which the court has ordered the companies to make refunds to customers, and the other receivership involves an insurance company that is being liquidated. One of the four cases was placed in receivership in 1981 and its assets are \$1.6 million of the \$2.75 million total, while the other cases were placed in receivership from 1986 to 1994. The assets of the receiverships are invested, and the investment income is distributed based on orders from the circuit judges.

Although only \$4,819 from these receiverships' assets was distributed to the claimants of the assets from 1996 through 1998, other parties as noted below have received more substantial amounts during the three years ended December 31, 1998:

Cole County General Fund (designated for courthouse improvements)	\$687,118
Receivers' fees	48,438
Banking fees	20,658
Bonding fees and other	7,129

The receivers' fees were paid to current or former court employees who serve as the court-appointed receivers. The receivers' duties and responsibilities include holding and administering the assets of the cases. In addition to their normal court salaries, the receivers are paid monthly compensation ranging from \$250 to \$430 from the receiverships' assets, and the receivers are to perform these duties outside of normal court working hours. Because there has been little activity in these accounts other than investment activity which is handled by the applicable banks, it appears the receivers' workload has decreased over the years while their compensation has remained the same.

The State Auditor recommended the circuit judges review these receivership cases and determine whether the receivership assets should be distributed to the state Unclaimed Property Section or should be disposed of in another manner.

Receipts handled by the Associate Circuit Division III from civil, criminal, traffic, and municipal cases, as well as applicable cash bonds totaled approximately \$967,000, \$925,000, and \$833,000 for years ended December 31, 1998, 1997, and 1996, respectively. Our audit noted the following concerns related to these collections:

(over)

YELLOW SHEET

- Some monies received for payment of traffic tickets are not recorded on the receipts ledger or deposited on a timely basis. All receipts should be recorded immediately upon receipt and deposited on a timely basis.
- The court has not established procedures to follow up on checks which have been outstanding for a considerable length of time. If the payees cannot be located, the amounts should be disposed of in accordance with state law.

The Juvenile Office receives payments for restitution, care and maintenance, and drug test fees collected directly by juvenile officers. Receipts handled by the Juvenile Office totaled approximately \$22,700, \$12,500, and \$14,500 for years ended December 31, 1998, 1997, and 1996 respectively. Monies collected by the Juvenile Office are transmitted to the Cole County Treasurer's office.

- Receipts related to care and maintenance are not transmitted to the County Treasurer's office on a timely basis.
- The Juvenile Office did not retain billing invoices, ledgers of account balances, and payment histories for care and maintenance cases for the years ended December 31, 1997 and 1996. In addition, these records were discarded for certain cases filed in 1998. These records should be retained to document the validity of transactions, provide an audit trail, and account for all monies received. In addition, all records should be retained in accordance with Supreme Court Administrative Rule 8.
- Procedures to monitor and collect accrued costs could be improved. The Juvenile Office has established procedures to issue second billing notices when delinquent, issue court orders for hearings on payment of costs, and refer cases to the Deputy Juvenile Officer for possible garnishment of wages. Our review of accrued costs noted cases in which no court order was entered and no other follow-up action was taken to collect accrued costs. Three cases reviewed had outstanding balances totaling approximately \$5,362 in which no pursuit of collection has been made since December 1998.
- In addition, Juvenile Office personnel indicated that certain accounts were written off approximately two months after a second billing notice was issued and in some instances accounts were written off without the authorization of the Judge. Also, when authorization was obtained from the Judge to write off an account, the applicable documentation was not kept. To ensure the validity of account write-offs, all amounts written off should be approved by the Judge and documentation of this approval should be retained.

NINETEENTH JUDICIAL CIRCUIT
COLE COUNTY, MISSOURI

TABLE OF CONTENTS

	<u>Page</u>
STATE AUDITOR'S REPORT	1-3
<u>MANAGEMENT ADVISORY REPORT SECTION</u>	
Management Advisory Report - State Auditor's Current Recommendations:	5-13
Summary of Findings	6
<u>Number</u>	
1. Receiverships	7
2. Associate Circuit Division III's Accounting Controls and Procedures	8
3. Juvenile Office's Accounting Controls and Procedures	10
Follow-Up on State Auditor's Prior Recommendations	14-18
<u>STATISTICAL SECTION</u>	
History, Organization, and Statistical Information	20-25

STATE AUDITOR'S REPORT



CLAIRE C. McCASKILL
Missouri State Auditor

Presiding Judge and Court en banc
and
The Circuit Clerk of the
Nineteenth Judicial Circuit
Cole County, Missouri

The State Auditor is required under Section 29.200, RSMo 1994, to audit all accounts of the Nineteenth Judicial Circuit, Cole County, Missouri. The Cole County Commission engaged Evers & Company, Certified Public Accountants (CPAs), L.L.C., to perform annual audits of the financial statements of Cole County, including the various divisions of the Nineteenth Judicial Circuit, Cole County, Missouri for the years ended December 31, 1998, 1997, and 1996. To satisfy our statutory obligation and minimize duplication of effort, the State Auditor has used the work of the CPAs. We reviewed the reports and substantiating working papers of the CPAs to satisfy ourselves as to the appropriateness of using their reports, and we accept them in partial fulfillment of our responsibility under Section 29.200, RSMo 1994.

The objectives of our review were to:

1. Review certain financial activity and related procedures and examine compliance with certain constitutional provisions, statutes, and attorney general's opinions as we deemed necessary or appropriate in the circumstances.
2. Examine certain management practices which we believe could be improved.
3. Follow up on the status of recommendations made in our previous report.

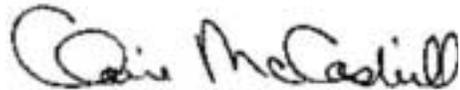
Our review was made in accordance with generally accepted government auditing standards and included such procedures as we considered necessary in the circumstances. In this regard, we reviewed the records and procedures, and interviewed personnel of the judicial circuit.

As part of our review, we assessed the judicial circuit's management controls to the extent we determined necessary to evaluate the specific matters described above and not to provide assurance on those controls. With respect to management controls, we obtained an understanding of the design of relevant policies and procedures and whether they have been placed in operation and we assessed control risk.

Our review was limited to the specific matters described above and was based on selective tests and procedures considered appropriate in the circumstances. Had we performed additional procedures, other information might have come to our attention which would have been included in this report.

The accompanying History, Organization, and Statistical Information is presented for informational purposes. This information was obtained from the judicial circuit's management and the Office of State Courts Administrator and was not subjected to the procedures applied in our review of the Nineteenth Judicial Circuit, Cole County, Missouri.

Our comments on internal controls, compliance with legal requirements, management practices, and related areas are presented in the accompanying Management Advisory Report.

A handwritten signature in black ink, appearing to read "Claire McCaskill". The signature is written in a cursive, flowing style.

Claire McCaskill
State Auditor

June 24, 1999 (fieldwork completion date)

MANAGEMENT ADVISORY REPORT SECTION

Management Advisory Report -
State Auditor's Current Recommendations

NINETEENTH JUDICIAL CIRCUIT
COLE COUNTY, MISSOURI
SUMMARY OF FINDINGS

1. Receiverships (pages 7-8)

The court is holding \$2.75 million in four receiverships for which current or former court employees serve as the court-appointed receivers. About \$1.6 million of this money has been held since 1981, and there has been little or no follow-up to locate the claimants of the receiverships' assets. Transfers to Cole County's General Fund and payments of receivers and banking fees represent the majority of the expenditures from these receiverships; while little has been paid to claimants. It appears these receivership monies should be disposed of properly.

2. Associate Circuit Division III's Accounting Controls and Procedures (pages 8-10)

Some monies received for payment of traffic tickets are not immediately recorded or deposited. Follow-up is not performed on old outstanding checks. Monthly listings of open items are not prepared, and some unclaimed monies have been held for more than nineteen years.

3. Juvenile Office's Accounting Controls and Procedures (pages 10-13)

Prenumbered receipt slips are not issued immediately upon receipt of some monies. Checks are not restrictively endorsed immediately upon receipt and receipts are not transmitted to the County Treasurer on a timely basis. Some accounting records were not retained. Collection of some accrued costs are not actively pursued, accrued costs may be written off without the Judge's approval, and when the write-off is approved, documentation is not retained.

NINETEENTH JUDICIAL CIRCUIT
COLE COUNTY, MISSOURI
MANAGEMENT ADVISORY REPORT-
STATE AUDITOR'S CURRENT RECOMMENDATIONS

In addition to our review of the reports and substantiating working papers of Evers & Company, Certified Public Accountants, L.L.C., we included those procedures which we considered necessary in the circumstances.

We reviewed probable compliance with certain constitutional provisions, statutes, administrative rules, and attorney general's opinions as we deemed necessary or appropriate. This review was not intended to provide assurance of full compliance with all regulatory provisions and, thus, did not include all regulatory provisions which may apply. However, our review disclosed certain conditions that may represent noncompliance and these findings are presented in our report.

During our audit, we identified certain management practices which we believe could be improved. Our audit was not designed or intended to be a detailed study of every system, procedure, and transaction. Accordingly, the findings presented in our report should not be considered as all-inclusive of areas where improvements may be needed.

The period of audit for the purposes stated above included, but was not limited to, the three years ended December 31, 1998.

1.	Receiverships
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The Nineteenth Judicial Circuit, Cole County, Missouri, currently has four receivership cases for which current or former court employees serve as the court-appointed receivers. The two circuit judges of the Nineteenth Judicial Circuit each preside over two of these cases. The receivers' responsibilities include holding and administering the assets of the cases. In addition to their normal court salaries, the receivers are paid monthly compensation ranging from \$250 to \$430 from the receiverships' assets for performing the receivers' duties, and the receivers are to perform these duties outside of normal court working hours. At December 31, 1998, the assets of these receiverships totaled \$2.75 million.

Three of the four receiverships involve utility companies for which the court has ordered the companies to make refunds to customers, and the other receivership involves an insurance company that is being liquidated and its assets are being distributed to its creditors. During the three years ended December 31, 1998, only \$4,819 from these receiverships' assets was distributed to the claimants of the assets. Court personnel have indicated that most of the claimants cannot be located and that little or no follow-up is currently done to locate the claimants. Because there has been little activity in these accounts other than investment activity which is handled by the

applicable banks, it appears the receivers' workload has decreased over the years while their compensation has remained the same.

One of the four cases was placed in receivership in 1981 and its assets are \$1.6 million of the \$2.75 million total, and the other cases were placed in receivership from 1986 to 1994. The assets of the receiverships are invested, and the investment income of the receiverships was distributed as follows during the three years ended December 31, 1998:

Cole County General Fund	\$687,118
(designated for courthouse improvements)	
Receivers' fees	48,438
Banking fees	20,658
Bonding fees and other	7,129

Due to the long period of time that the majority of the receivership assets have been held by the court, and due to the lack of follow-up in locating the claimants of the assets, the circuit judges should review these receivership cases and determine whether the assets should be disposed of in another manner. Sections 447.500 through 447.595, RSMo, include laws which pertain to the Uniform Disposition of Unclaimed Property and it appears that these laws could apply to the receivership cases. Specifically, Section 447.532, RSMo, states that all intangible personal property that has remained unclaimed by the owner for more than seven years is presumed abandoned and should be turned over to the state Unclaimed Property Section.

WE RECOMMEND the circuit judges review these receivership cases and determine whether the receivership assets should be distributed to the state Unclaimed Property Section or should be disposed of in another manner.

AUDITEE'S RESPONSE

The Circuit Judges provided the following response:

We appreciate the recommendation and will review to determine if the unclaimed property laws apply to these receiverships.

2. Associate Circuit Division III's Accounting Controls and Procedures

The Associate Circuit Division III maintains bank accounts and records for civil, criminal, traffic, and municipal cases, as well as any applicable cash bonds. In addition, an interest account is maintained to purchase equipment and supplies related to office operations. Receipts handled by the Associate Circuit Division III totaled approximately \$967,000, \$925,000, and \$833,000 for years ended December 31, 1998, 1997, and 1996, respectively. During our review of the

Associate Circuit Division III's accounting records and procedures, we noted the following concerns:

- A. Some monies received for payment of traffic tickets are not recorded on the computer system's receipts ledger or deposited on a timely basis. Traffic payments received in the mail are not recorded until a copy of the applicable traffic ticket has been received from the Prosecuting Attorney. In addition, partial traffic payments received in the mail are not recorded until payment is made in full. Receipt slips are issued for walk-in payments in the situations noted above; however, these receipt slips are not prenumbered by a printer. A cash count on June 18, 1999, noted receipts of \$2,505 which were not recorded on the computer system's receipts ledger. Of this amount, \$602 represented money orders for partial payments which were dated from 1988 through 1996.

To adequately safeguard receipts and reduce the risk of loss or misuse of funds, all receipts should be recorded immediately upon receipt and deposited on a timely basis. The court should also review the old money orders for partial payments and determine the proper disposition of these moneys. If the court deems it necessary to record receipts on the computer system after the applicable tickets are received or payment is received in full, a system should be developed in which these receipts are recorded on prenumbered receipt slips or a manual receipts log until they are recorded on the computer system.

- B. The court has not established procedures to follow up on checks which are outstanding for a considerable length of time. At December 31, 1998, checks totaling \$7,997 had been outstanding for more than one year. Some checks were outstanding for as long as nine years.

Checks which have been outstanding for a considerable length of time should be periodically reviewed to determine if the checks should be canceled and reissued if the payee can be located. If the payees cannot be located, the amounts should be disposed of in accordance with Sections 447.500 through 447.595, RSMo, or Sections 50.470 through 50.490, RSMo, as applicable.

- C. Listings of open items are not prepared for the civil account and listings of open items had not been prepared for the bond account since September 1998. Upon our request, open items listings were prepared for these accounts in May 1999; however, unreconciled differences of \$5,511 and \$1,476 existed between the open items listings and reconciled bank balances for the civil account and bond account, respectively.

Monthly listings of open items should be prepared and reconciled to cash balances for each account to ensure records are in balance and sufficient funds are available for the payment of all liabilities. Further, the court could attempt to determine the reasons for the differences and if proper disposition of the unidentified monies cannot be determined, these monies should be disposed of in accordance with state law.

- D. The court has held \$795 in unclaimed bonds and court refunds for sixteen individuals in a savings account since before 1980. Since these cases are over ten years old, the case files have been destroyed. In addition, approximately \$30,307 in old unclaimed bonds are currently in the bond bank account. Bonds remaining unclaimed for one year after disposition of the case should be disbursed to the state's Unclaimed Property Section in accordance with Section 447.595, RSMo 1994.

Conditions similar to Parts C and D were also noted in our prior report.

WE RECOMMEND the Associate Circuit Division III:

- A. Ensure all receipts are recorded immediately upon receipt and deposited on a timely basis and follow-up on the \$602 in old money orders for partial payments. For receipts that cannot be recorded immediately on the court's computer system, the court should develop a system in which these receipts are recorded on prenumbered receipt slips or a manual receipts log until they are recorded on the computer system.
- B. Establish procedures to periodically review outstanding checks and take action to resolve any old outstanding checks on a timely basis. Checks where the payees can be located should be reissued. Any unclaimed amounts should be disposed of in accordance with state law.
- C. Prepare monthly open-items listings and reconcile these listings to cash balances. Differences between the open-items listings and the cash balances should be investigated and resolved on a timely basis.
- D. Disburse all unclaimed bonds in accordance with state law.

AUDITEE'S RESPONSE

The Associate Circuit Judge and the Division III Chief Clerk provided the following responses:

- A. *We concur with the recommendation. We will attempt to more timely record and deposit these monies; possibly in the same manner as we process bonds. In addition, through off-site visits with other counties on the Banner System, we will investigate procedures that may alleviate this concern in the future.*
- B. *We concur with the recommendation and will work to resolve these outstanding checks. We are expecting additional staff in the near future who will be able to devote time to this area.*
- C. *This recommendation has been implemented.*

D. *We will work with the Cole County Treasurer to implement this recommendation.*

3. Juvenile Office's Accounting Controls and Procedures

The Juvenile Office receives payments for restitution and care and maintenance. Fees for drug tests are collected directly by juvenile officers when they meet with a juvenile. These drug test fees are later transmitted to the Juvenile Office. Receipts handled by the Juvenile Office totaled approximately \$22,700, \$12,500, and \$14,500 for years ended December 31, 1998, 1997, and 1996, respectively. Monies collected by the Juvenile Office are transmitted to the Cole County Treasurer's office.

A. Receipt slips are not issued for drug test fees collected by juvenile officers. Also, receipt slips are only issued for cash received by the Juvenile Office and not for other receipts received by mail or in the form of check. In addition, receipt slips are not prenumbered; therefore, the numerical sequence of receipts slips cannot be accounted for and properly reconciled to the receipts journal.

To properly account for all monies received, prenumbered receipts slips should be issued for all receipts. In addition, the numerical sequence of receipts slips should be accounted for and receipts should be reconciled to the receipts journal.

B. Checks are not restrictively endorsed immediately upon receipt. Instead, they are endorsed when the deposit is made. To reduce the risk of loss or misuse of funds, checks should be restrictively endorsed immediately upon receipt.

C. Receipts related to care and maintenance are not transmitted to the County Treasurer's office on a timely basis. During the year ended December 31, 1998, care and maintenance receipts totaled approximately \$21,910. Transmittals were made approximately three times a month and averaged approximately \$645. In addition, we reviewed receipts through June 1999, and noted that only three transmittals, averaging \$2,057, have been made since the first of the year. To adequately safeguard receipts, reduce the risk of loss, theft, or misuse of funds, and maximize interest income, transmittals should be made daily or when accumulated receipts exceed \$100.

D. The Juvenile Office did not retain billing invoices, ledgers of account balances, and payment histories for care and maintenance cases for the years ended December 31, 1997 and 1996. In addition, these records were discarded for certain cases filed in 1998. These records should be retained to document the validity of transactions, provide an audit trail, and account for all monies received. In addition, all records should be retained in accordance with Supreme Court Administrative Rule 8.

- E. Procedures to monitor and collect accrued costs could be improved. The Juvenile Office has established procedures to issue second billing notices when delinquent, issue court orders for hearings on payment of costs, and refer cases to the Deputy Juvenile Officer for possible garnishment of wages. Our review of accrued costs noted cases in which no court order was entered and no other follow-up action was taken to collect accrued costs. Three cases reviewed had outstanding balances totaling approximately \$5,362 in which no pursuit of collection has been made since December 1998. Without the active pursuit of accrued costs, a loss in revenue may result.

In addition, Juvenile Office personnel indicated that certain accounts were written off approximately two months after a second billing notice was issued and in some instances, accounts were written off without the authorization of the Judge. Also, when authorization was obtained from the Judge to write off an account, the applicable documentation was not retained. To ensure the validity of account write-offs, all amounts written off should be approved by the Judge and documentation of this approval should be retained.

WE RECOMMEND the Juvenile Office:

- A. Issue prenumbered receipt slips for all monies received and account for the numerical sequence. In addition, receipt slips issued should be reconciled to the receipts journal.
- B. Restrictively endorse all checks immediately upon receipt.
- C. Transmit receipts daily or when accumulated receipts exceed \$100.
- D. Retain all records in accordance with Supreme Court Administrative Rule 8.
- E. Ensure follow-up procedures are performed for all accrued costs. Any delinquent accounts which are deemed uncollectible should be written off following a review and documented approval by the Judge.

AUDITEE'S RESPONSE

The Juvenile Court Administrator provided the following responses:

- A. *Numbered receipt books have been issued to all juvenile officers with instructions for providing written receipt slips for all drug tests or other revenue collected. Part-time intensive supervision employees will work with the juvenile officer responsible for the intensive supervision program to provide receipt slips for drug tests administered in that program. The receptionist and the administrative assistant have also been provided with receipt books. The administrative assistant receives copies of all receipt slips and will reconcile them to the receipt journal.*

- B. *Procedures have been initiated to ensure that all checks are restrictively endorsed immediately upon receipt.*
- C. *Procedures have been initiated to ensure that receipts will be transmitted to the County Treasurer's office daily or when the amount exceeds \$100.*
- D. *Supreme Court Administrative Rule 8 has been reviewed. Supreme Court Rule 122.04 requires that all social histories, records and information except official court files be destroyed when the juvenile reaches age 17 unless the juvenile remains under the jurisdiction of the court. However, these accounting records for juveniles that have not reached age 17 will be available in this office.*
- E. *Procedures for follow-up on accrued cost have been reviewed. Any accounts deemed uncollectible will be reviewed and approved by the Judge.*

This report is intended for the information of the judicial circuit's management and other applicable government officials. However, this report is a matter of public record and its distribution is not limited.

Follow-Up on State Auditor's Prior Recommendations

NINETEENTH JUDICIAL CIRCUIT
COLE COUNTY, MISSOURI
FOLLOW-UP ON STATE AUDITOR'S PRIOR RECOMMENDATIONS

This section reports follow-up action taken by the Nineteenth Judicial Circuit, Cole County, Missouri, on recommendations made in the Management Advisory Report (MAR) of our report issued for the three years ended December 31, 1990. The prior recommendations which have not been implemented, but are considered significant, have been repeated in the current MAR. Although the remaining unimplemented recommendations have not been repeated, the judicial circuit should consider implementing these recommendations.

1. Circuit Clerk's Accounting Controls and Procedures - Child Support Account

- A. Delinquent child support payments were not adequately monitored.
- B. Intercepted monies collected by the state were not recorded on the child support system.
- C. Child support monies were kept in a noninterest-bearing checking account.

Recommendation:

The Circuit Clerk:

- A. Implement procedures to monitor delinquent child support payments and issue delinquent notices in accordance with state law.
- B. Record intercepted monies on the child support system.
- C. Invest child support deposits in an interest-bearing account.

Status:

- A&B. Implemented.
- C. Not implemented. Although not repeated in the current report, our recommendation remains as stated above.

2. Circuit Clerk's Computer Controls

- A. Passwords were not utilized to limit the potential of unauthorized access to case file data.

- B. No records of on-line changes to case records were maintained or reviewed by a supervisor.

Recommendation:

The Circuit Clerk:

- A. Develop a system where access to case files is obtained by using passwords. Each employee should be assigned an independent password which is changed periodically. Each employee's password should limit access only to the information that is necessary to meet the employee's duties and for which authorization has been granted.
- B. Generate a record of on-line changes to case file information. These records should be periodically reviewed by supervisory personnel.

Status:

- A. Partially implemented. Passwords which limit access to case file data are assigned to employees and kept confidential; however, passwords are not changed periodically. Although not repeated in the current report, our recommendation remains as stated above.
- B. Implemented.

3. Circuit Clerk's Open Items

Court case numbers were not used to identify each amount on the open items listings.

Recommendation:

The Circuit Clerk indicate the court case number for each amount on the open items list.

Status:

Implemented.

4. Associate Circuit Division's Accounting Controls and Procedures

- A.1. Monthly listings of open items were not prepared.
- 2. Receipts were not deposited on a timely basis.
- 3. Some unclaimed bonds were held in a savings account since 1980.

4. Summary accrued cost records were not maintained. In addition, the court had no procedures to monitor or follow-up on uncollected amounts.
- B. Passwords were not independently assigned to personnel and were not changed periodically.
- C. The Sheriff's department did not account for the numerical sequence of traffic tickets or their ultimate disposition.

Recommendation:

The Associate Circuit Division:

- A.1. Prepare monthly open-items listings and reconcile them to the cash balance.
 2. Deposit receipts daily or when total receipts exceed \$100.
 3. Disburse all unclaimed monies in accordance with state law.
 4. Update the accrued cost records and establish procedures to monitor and follow up on uncollected amounts.
- B. Periodically assign and change independent data passwords. Each employee's password should limit access to only the information that is necessary to meet the employee's duties and for which authorization has been granted.
- C. Work with the Sheriff's department to ensure records are maintained to account for all traffic tickets issued. A system should also be developed to account for the ultimate disposition of all tickets.

Status:

- A.1.
 - & 3. Not implemented. See MAR No. 2.
- A.2.
 - & 4. Implemented.
- B. Partially implemented. Passwords are currently used to limit access to appropriate information, are kept confidential, and are deleted when an employee transfers or terminates; however, passwords are not changed periodically. Although not repeated in the current report, our recommendation remains as stated above.

- C. Partially implemented. The 1998 sequence of traffic ticket numbers issued, voided, or on-hand were manually accounted for; however, the Sheriff's department does not track the ultimate disposition of each ticket. Although not repeated in the current report, our recommendation remains as stated above.

5. Probate Division's Accounting Controls and Procedures

- A. Accounting and bookkeeping duties were not properly segregated.
- B. Receipts were not deposited on a timely basis.

Recommendation:

The Probate Division:

- A. Adequately segregate the duties of receiving monies from that of recording receipts and depositing court monies.
- B. Deposit receipts daily or when total receipts exceed \$100.

Status:

- A. Implemented.
- B. Not implemented. Although not repeated in the current report, our recommendation remains as stated above.

STATISTICAL SECTION

History, Organization, and
Statistical Information

NINETEENTH JUDICIAL CIRCUIT
 COLE COUNTY, MISSOURI
 HISTORY, ORGANIZATION, AND STATISTICAL INFORMATION

Organization

The Nineteenth Judicial Circuit includes only Cole County.

The Nineteenth Judicial Circuit consists of two circuit judges and two associate circuit judges. One circuit judge serves as the presiding judge and is responsible for the administration of the circuit.

In addition to the judges, the personnel of the Nineteenth Judicial Circuit, Cole County, Missouri, include a circuit clerk, an associate circuit division clerk, a probate division clerk, a juvenile court administrator, nine deputy court clerks, six court clerks, thirty-nine deputy juvenile officers and aides, two court reporters, three court marshals, a secretary to the presiding judge, and six juvenile office support staff. The above totals include full-time and part-time personnel.

Operating Costs

The operating expenses of the various courts and the juvenile office are paid by Cole County. The salaries of court personnel are paid by the state of Missouri, except for the salaries of two court marshals which are paid by Cole County. The salary of the juvenile officer is paid in part by the state of Missouri and in part by Cole County. The salaries of the remaining juvenile office personnel are paid by Cole County or with grant funding received from the state.

Expenditures incurred for the Nineteenth Judicial Circuit, Cole County, Missouri, were obtained from the Cole County budget and information provided by the State Courts Administrator's office and are as follows:

	Year Ended December 31,								
	1998			1997			1996		
	State of Missouri- Personal Service	Cole County Personal Service	Operating Expenses	State of Missouri- Personal Service	Cole County Personal Service	Operating Expenses	State of Missouri- Personal Service	Cole County Personal Service	Operating Expenses
Circuit Courts	\$ 264,833	76,744	336,667 *	254,057	72,617	195,868 *	222,940	70,365	212,653 *
Circuit Clerk	251,861	0	**	239,083	0	**	215,981	0	**
Associate Circuit Courts:									
Division III	194,448	0	14,335	186,944	0	16,865	177,440	0	17,708
Division IV - Probate	139,413	0	6,684	133,674	0	7,563	127,511	0	9,532
Juvenile Office	36,146	610,949	262,495	34,307	502,986	152,829	32,523	418,638	134,978
Court Reporters	86,846	0	**	82,476	0	**	78,187	0	**
Total	\$ 973,547	687,693	620,181	930,541	575,603	373,125	854,582	489,003	374,871

* Includes Circuit Clerk and Court Reporters operating expenses.

** Operating expenses included in Circuit Courts.

Caseload and Time Standards Statistics

Caseload statistics of the filings and dispositions as provided by the State Courts Administrator's Missouri Judicial Reports, are as follows:

	Year Ended June 30,					
	1998		1997		1996	
	<u>Filings</u>	<u>Dispositions</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Filings</u>	<u>Dispositions</u>
Civil	3,257	3,473	3,465	3,471	3,196	3,359
Criminal	6,062	5,999	6,682	6,116	5,571	5,498
Juvenile	221	224	187	177	221	218
Probate	140	106	134	104	149	78
	<u>9,680</u>	<u>9,802</u>	<u>10,468</u>	<u>9,868</u>	<u>9,137</u>	<u>9,153</u>

Compliance by the Nineteenth Judicial Circuit, Cole County, Missouri, with time standards for disposition of certain types of cases, provided by the State Court Administrator's Missouri Judicial Report for fiscal year 1998, is as follows:

<u>Type of Case</u>	<u>Time Standard</u>	<u>Nineteenth Judicial Circuit, Cole County, Missouri</u>	<u>State Total</u>
Circuit Civil	90% in 18 months	93 %	79 %
	98% in 24 months	96	87
Domestic Relations	90% in 8 months	92	83
	98% in 12 months	97	90
Associate Civil	90% in 6 months	83	84
	98% in 12 months	93	95
Circuit Felony	90% in 8 months	92	85
	98% in 12 months	98	93
Associate Criminal	90% in 4 months	84	79
	98% in 6 months	93	89

Receiverships

As of December 31, 1998, four special receiverships, having court or former court employees appointed as receiver, were held under the registry of the Nineteenth Judicial Circuit, Cole County. The companies (defendants) that have been ordered to deposit applicable funds into the registry of the court and the receiver appointed by the court to keep and preserve these funds are as follows:

Company
 Old Security Life Insurance Company
 Southwestern Bell Telephone Company
 Southwestern Bell Telephone Company
 Various utility companies

Court Appointed Receiver
 Elaine S. Healy
 Sharon Morgan
 Jackie Blackwell
 Brenda Keys*

* Effective February 1999, Julie Smith was appointed as the successor receiver.

These receiverships were established under the provisions of Rule 68.02, Missouri Rules of Civil Procedure, relative to "Receivers in Circuit Courts." The cash and investment balances (presented at fair market value), receipts, and disbursements of these receiverships for the three years ended December 31, 1998, are as follows:

	Year Ended December 31,		
	1998	1997	1996
RECEIPTS			
Investment income -	\$		
Interest	165,687	181,066	171,321
Net increase (decrease) in fair value of investments	14,153	42,519	(42,661)
Total Revenues	179,840	223,585	128,660
DISBURSEMENTS			
Refunds to claimants	0	367	4,452
Transfers to Cole County	295,000	261,875	130,243
Receiver fees	16,745	15,885	15,808
Banking fees	6,905	6,934	6,819
Other	2,082	2,142	2,905
Total Expenses	320,732	287,203	160,227
RECEIPTS OVER (UNDER) DISBURSEMENTS	(140,892)	(63,618)	(31,567)
CASH AND INVESTMENTS, JANUARY 1	2,889,681	2,953,299	2,984,866
CASH AND INVESTMENTS, DECEMBER 31	\$ 2,748,789	2,889,681	2,953,299

In addition to the receiverships noted above, each circuit judge of the Nineteenth Judicial Circuit oversees various cases in which the state Department of Insurance has been named the receiver. Special deputies are appointed by the department and approved by the applicable judge to manage the assets of the receiverships.

Personnel

At December 31, 1998, the judges, Juvenile Court Administrator, and Circuit Clerk, of the Nineteenth Judicial Circuit, Cole County, were:

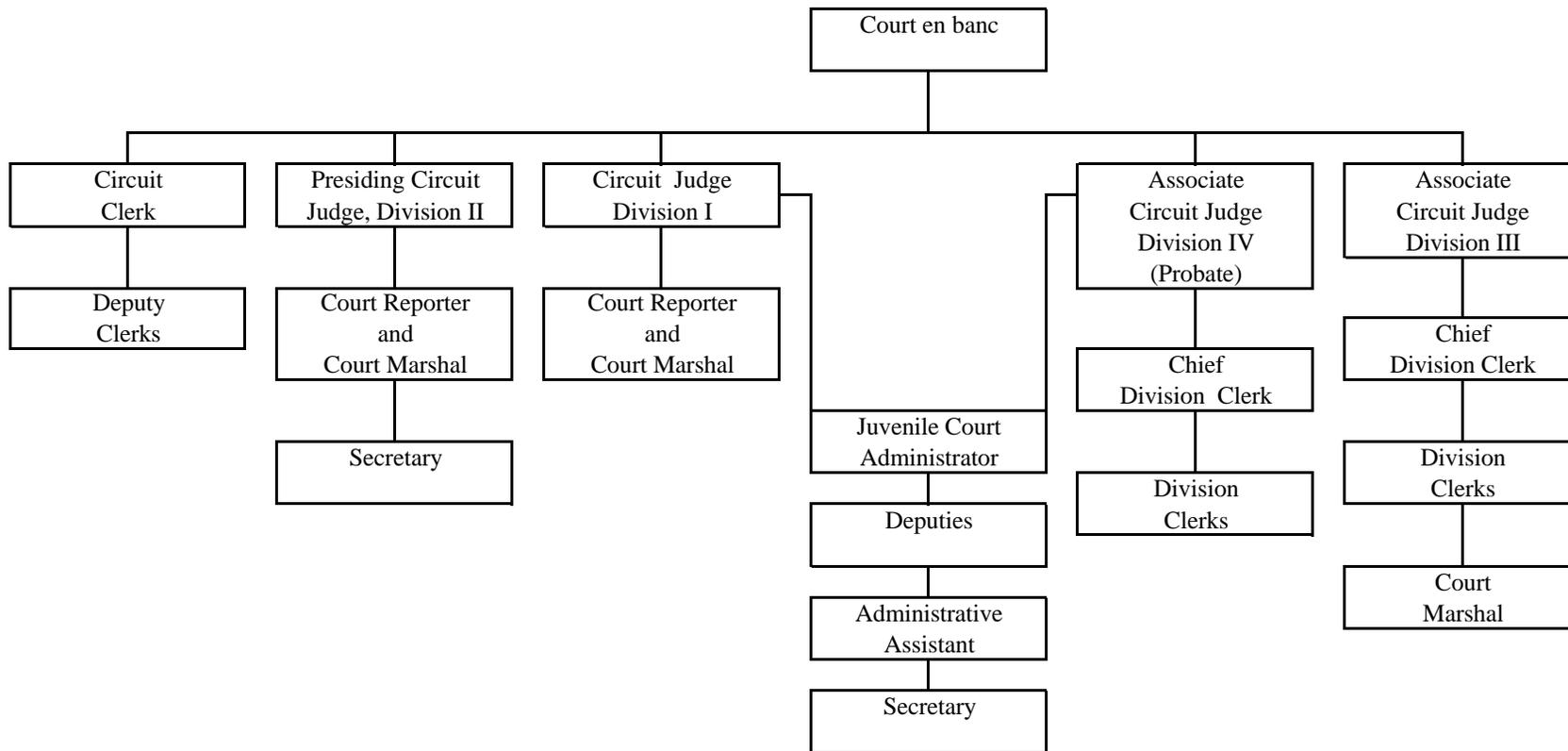
Thomas Brown III, Circuit Judge, Division I
 Bryon L. Kinder, Circuit Judge, Division II (Presiding Judge)
 Thomas Sodergren, Associate Circuit Judge, Division III
 Patricia Joyce, Associate Circuit Judge, Division IV

Linda L. Roark, Circuit Clerk
Maureen Monaghan, acting Juvenile Court Administrator *

* Maureen Monaghan was the acting Juvenile Court Administrator through June 30, 1999. Effective July 1, 1999, Winston Rutledge became the new administrator.

An organizational chart follows:

NINETEENTH JUDICIAL CIRCUIT
 COLE COUNTY, MISSOURI
 ORGANIZATION CHART
 DECEMBER 31, 1998



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